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# SYLVESTER CLARK SMITH

(Late a Representative from California)

## MEMORIAL ADDRESSES

DELIVERED IN THE
HOUSE OF REPRESENTATIVES AND THE SENATE
OF THE UNITED STATES

SIXTY-SECOND CONGRESS
THIRD SESSION

Proceedings in the House
February 23, 1913

Proceedings in the Senate
March 1, 1913

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# DEATH OF HON. SYLVESTER CLARK SMITH

PROCEEDINGS IN THE HOUSE OF REPRESENTATIVES

MONDAY, *January 27, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father in heaven, draw near to us as we draw near to Thee and fill our minds with clear perceptions, noble desires, pure convictions, and the courage to live them, that we may be one with Thee in the furtherance of every good, and thus be strengthened by imparting strength, wise by imparting wisdom, pure by imparting purity as we journey through life's rugged way, and so glorify Thee in a faithful service to our fellow men.

Once more in the dispensation of Thy providence death has entered our family and taken from us a faithful servant. Comfort us and his bereaved family by the blessed hope of the life eternal; in Jesus Christ our Lord. Amen.

Mr. NEEDHAM. Mr. Speaker, it is my sad duty to announce to the House the death of the Hon. SYLVESTER CLARK SMITH, a Representative from the State of California. During the lifetime of Mr. SMITH he requested in the event of his death while a Member of the House that there be no committee appointed to attend his funeral. I

have therefore omitted from the resolutions which I have offered any reference to a committee.

Mr. Speaker, I offer the following resolutions and move their adoption.

The SPEAKER. The Clerk will report the resolutions.

The Clerk read as follows:

House resolution 797

*Resolved*, That the House has heard with profound sorrow of the death of Hon. SYLVESTER CLARK SMITH, a Representative from the State of California.

*Resolved*, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

*Resolved*, That as a further mark of respect this House do now adjourn.

The question was taken, and the resolutions were unanimously agreed to.

Thereupon (at 4 o'clock and 33 minutes p. m.) the House adjourned to meet to-morrow, Tuesday, January 28, 1913, at 11 o'clock a. m.

TUESDAY, *February 4, 1913.*

Mr. NEEDHAM. Mr. Speaker, I ask unanimous consent for the adoption of the following order.

The SPEAKER. The Clerk will report the order.

The Clerk read as follows:

*Ordered*, That Sunday, February 23, 1913, be set apart for addresses upon the life, character, and public services of the Hon. SYLVESTER CLARK SMITH, late a Representative from the State of California.

The SPEAKER. Is there objection. [After a pause.] The Chair hears none.

The question was taken, and the order was agreed to.

SUNDAY, *February 23, 1913.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Hear my cry, O God; attend unto my prayer. From the end of the earth will I cry unto Thee when my heart is overwhelmed; lead me to the rock that is higher than I. For Thou hast been a shelter for me and a strong tower from the enemy. I will abide in Thy tabernacle forever; I will trust in the covert of Thy wings.

From time immemorial, O God our Father, men's hearts have turned instinctively to Thee in great crises for help, in sorrow and grief for comfort, in every contingency for inspiration and guidance; so our hearts turn to Thee as we assemble in memory of men who by faithful service in State and Nation gained for themselves the respect and confidence of the people, wrought well among us, left the impress of their personality upon our minds, and made a place for themselves in our hearts which time nor space can erase. "For we know that if our earthly house of this tabernacle were dissolved we have a building of God, an house not made with hands, eternal in the heavens."

"We leave this and straightway enter another palace of the King more grand and beautiful."

We mourn their going, but not without hope. We are cast down but not overwhelmed, dismayed but not confounded.

> For the love of God is broader
> Than the measures of man's mind,
> And the heart of the Eternal
> Is most wonderfully kind.

Enter Thou O God our Father into the desolate homes and bind up the bruised and broken hearts with the oil of

Thy love, that they may look through their tears to the rainbow of hope and follow on without fear and doubting into that realm where all mysteries shall be solved, all sorrows melted into joy, soul touch soul in an everlasting communion, and eons of praise we will ever give to Thee, in the spirit of the Lord Christ. Amen.

The SPEAKER. The Clerk will read the Journal of the proceedings of yesterday.

Mr. MORGAN of Louisiana. Mr. Speaker, I ask unanimous consent that the reading of the Journal be dispensed with.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to dispense with the reading of the Journal. Is there objection? [After a pause.] The Chair hears none. Without objection, the Journal will stand approved.

There was no objection.

The SPEAKER. The Clerk will report the order of business in reference to the Hon. SYLVESTER CLARK SMITH, late a Representative from California.

The Clerk read as follows:

On motion of Mr. Needham, by unanimous consent,

*Ordered,* That Sunday, February 23, 1913, be set apart for addresses upon the life, character, and public services of Hon. SYLVESTER CLARK SMITH, late a Representative from the State of California.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 865

*Resolved,* That the business of the House be now suspended that opportunity may be given for tribute to the memory of Hon. SYLVESTER CLARK SMITH, late a Member of this House from the State of California.

*Resolved*, That as a particular mark of respect to the memory of the deceased and in recognition of his distinguished public career the House at the conclusion of the memorial exercises of the day shall stand adjourned.

*Resolved*, That the Clerk communicate these resolutions to the Senate.

*Resolved*, That the Clerk send a copy of these resolutions to the family of the deceased.

The resolution was unanimously agreed to.

# MEMORIAL ADDRESSES

## Address of Mr. Needham, of California

Mr. Speaker: Sylvester Clark Smith was born on a farm near Mount Pleasant, Iowa, August 26, 1858, and died in Hollywood, Cal., Sunday, January 26, 1913. His grandfather was Sylvester Smith, a native of New England, and his father, Edward Smith, was a native of New York. The father moved, first, to Ohio, and then to Illinois, and in 1835 settled in Iowa, where he raised a family of five sons and three daughters.

Sylvester Clark Smith, whose memory we honor today, moved to California in 1879 when 21 years old and taught school in Colusa County, where he married, on May 7, 1882, Miss Maria J. Hart. The winter of 1882 and 1883 was spent in San Francisco studying law. The following summer, in 1883, he moved to Kern County, where he continued to teach school and study law. In October, 1885, he was admitted to the bar and opened a law office in Bakersfield, the county seat of Kern County.

In 1886 a number of farmers bought a newspaper plant and established a paper for the purpose of presenting their views on the question of water rights, which was then a burning issue in our State, and especially in Kern County, and Mr. Smith was selected as editor of the paper—the Kern County Echo. Three years later he purchased the paper and plant and continued to be its principal owner until the date of his death.

From the date that he became a citizen of Kern County he was one of the most active and influential residents

of his county, and was always an active and influential factor in all public questions affecting its welfare. He took up a homestead in the county and rode horseback between his home and his business in Bakersfield. He was a member of the local militia, Company G, and served during the railroad strike in 1894.

In 1894 he was nominated by the Republican Party for the State senate in the district comprising Kern and San Luis Obispo Counties, and was elected, although the district was strongly against him politically. He immediately took high rank in the legislature as an independent, fearless, and able legislator. In the State senate, which was composed of some of the ablest men of California, he became a leader and was acknowledged to be one of the best debaters in that body. He was reelected in 1898, and his second term in the State senate was one of great usefulness to the State. He stood for the best in legislation, and his entire course in the State Senate of California was one of great credit to himself, his party, and his district, and, in fact, to the whole State.

He was nominated for Congress in 1904 from the eighth district of California by his party, and was elected, and reelected in 1906, 1908, and 1910.

His service in this body is still fresh in the minds of those who served with him. From the first he took high rank here, and his progress was rapid. He obtained the confidence of the Members from the beginning; he was early recognized by the leaders of the House as a man of more than ordinary ability and capacity, and was singled out for recognition, honors, and leadership. When he spoke he always had the undivided attention of the membership. His clear, musical voice rang out and filled this Chamber and riveted attention. Any disorder which might have prevailed immediately ceased from the moment he addressed the Speaker. He was not a large man

physically, yet his voice was so penetrating and his manner of speech so incisive, his argument so clear and sincere, that those within hearing could not fail to listen and follow him.

During his services in the House he was honored with membership on the Committees on Public Lands, the Post Office and Post Roads, Labor, and Education, and was one of the first to be chosen to the Rules Committee when the House determined to elect this committee. He was also a member of the Monetary Commission until ill health compelled him to resign. On the Committee on Public Lands he rendered conspicuous service, being an authority upon and a deep student of the public-lands question. His most conspicuous accomplishments while in this body were the obtaining of an appropriation of $1,000,000 to control the Colorado River and the passage of the Smith bill, which was a bill to remedy the effect of a decision known as the "yard decision" upon oil canals—legislation of the most vital and far-reaching importance to his constituents.

Representative SMITH was a man of supreme courage; he had his convictions and resolutely held to them. He would not compromise for the sake of temporary popularity. He at all times, whether in his paper, on the stump, or in legislative hall, would maintain and defend his convictions. He hated and despised a political trimmer. At no time in his career would he surrender his views to curry favor or gain popular applause.

He was supremely loyal to the community in which he lived; no labor was too great to advance its best interests. He was constantly planning for its betterment and was full of ideas for its improvement and growth.

He was greatly attached to his work as a Member of this House. He enjoyed his work here, and here he found a field suitable to his tastes and talents. Long

after ill health had made it apparent to his friends that he must give up his activities here, he refused to cease his labors, and his determined devotion to duty shortened his life.

I first became acquainted with Mr. SMITH while he was serving his first term in the State senate, about the year 1897. Our relations became intimate after he became a Member of this House. We occupied adjoining rooms in the House Office Building. We generally walked home together daily upon the adjournment of the House, and we became strong personal friends. His family and my family enjoyed an intimate association.

His death to me is like the passing of a near relative, and there are but few men whose going would cause the same sense of personal loss.

Some years ago he requested me to see to it that in the event of his death while a Member of this body no committee be appointed to attend his funeral. This request was characteristic of the man and typical of his simple and unostentatious life; free, as it ever was, of all pomp.

Mr. Speaker, this Congress has lost by death a large number of its membership, but in the long list of departed colleagues none more faithfully represented his constituency than did SYLVESTER CLARK SMITH, of California. He died in the very noontide of his life—he was cut off at the very height of his abilities—at a time when by reason of his experience his State could ill afford to spare him.

Mr. Speaker, my association with my late colleague was so close that it is difficult for me to speak impartially of his life, character, and public services. Upon the occasion of his funeral, in Bakersfield, his home city, there was an immense throng from all walks of life gathered to do honor to their most distinguished fellow citizen and to pay their last sad tribute to the memory of one they all

loved and honored in life and mourned in death. It was a tribute that will long be remembered by the citizens of Kern County, and worthy of all those who participated in the loving remembrance in honor of Kern County's leading citizen.

SYLVESTER CLARK SMITH is dead, and we shall miss his cheery voice and his always pleasant personality; his friends, while cast down, still are proud of his life and its accomplishments, for the world is better because of his life.

Mr. Speaker, I ask unanimous consent to print as supplementary to my remarks addresses delivered upon the occasion of his funeral by Rev. E. R. Fuller and Hon. J. W. Wiley.

The SPEAKER. Is there objection? The Chair hears none.

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The addresses are as follows:

FUNERAL ORATION BY REV. E. R. FULLER

To-day we are met on a mission at once most sad and most sacred. At every step of my preparation I have met troops of thronging memories that sweep across the field of the last 15 years—years fraught with larger meaning than we are apt to think.

"Every character is the joint product of nature and nurture." How much of good and evil we inherit—not merely from parents, but from a long line of ancestors! Who shall estimate the power wrapped in the spirit of a newborn babe, forces the germs of which are transmitted from generation to generation? Nature, thrifty and provident, gathers up these fragments that nothing be lost and rearranges them in new character combinations. Thus each child is the "heir of all the ages." But however much we inherit, nurture to us is the more important, since it is under our direction and control.

SYLVESTER CLARK SMITH was born August 26, 1858, on a farm in Iowa. His mother died when he was but 8 years old. Yet her splendid Christian influence in those early years was a prime

factor in molding his sterling character. He was trained in the district school and a local academy. At 18 he began teaching to better fit himself for life. At 21 he came to California. Four years later (in the summer of 1883) he came to Kern County and settled in this city in December, 1885, which has since been his home.

During the first six years in California he taught school and studied law in Colusa, San Francisco, Ventura, and Kern Counties. He claimed as his bride Miss Maria J. Hart, who has been such an efficient helpmeet. Of this union two daughters have blessed and brightened the home—Mrs. E. S. Larsen, of Washington, D. C., and Mrs. A. W. Mason, of this city.

Kern County is still considered one of the newest and most undeveloped of all the counties of this great State. But when Mr. SMITH brought his family here it had but one resident where now it has five, and financially, educationally, and religiously the contrast was even greater. His course was over a rough road in this new West, but difficulties are not necessarily disadvantages. In his case the necessity to work was joined with a capacity and determination to work in things that were a succession of solid stepping-stones to a higher destiny.

Personally I am persuaded that the improved conditions that we enjoy have been made possible in no small measure by the clean, public-spirited young school-teacher who came to this county in 1883. For 30 years he has given himself without reserve as teacher, lawyer, editor, State senator, and Congressman, and true friend to this, his chosen county. To this city and county he has given his best. When not on duty elsewhere, here was where he longed to be. His last thoughts on the evening before he rested from his labors were as to how he could help better the moral conditions in this city. He had a passion for doing good. He never found it necessary to make war upon society in order to capture a field for the exercise of his splendid powers. Bring your choicest flowers to his bier, but fail not to carry away the lessons of his life—"the flower of manhood and the wreath of honor."

Fair, fearless, independent, capable, he has stood steadfastly for betterment of every kind. His principles were noble, his ambitions lofty, his spirit and poise fine. His sainted mother builded well, for this her son was alive with a simple, sincere Christian faith and a purpose high and holy. He loved the church well

and was generous in its support. One of the last letters he dictated and signed was to urge better church equipment and to pledge his full cooperation.

In his lingering sickness he was patient and gracious to the last. When a caller asked if he suffered, he would say, "The Lord is very good to me, for I do not suffer. I am just comfortably sick." As Paul wrote (Titus i, 18), "Given to hospitality, a lover of good, sober-minded, just, holy, self-controlled." The fitting text a close friend chose was this, "Not slothful in business, fervent in spirit, serving the Lord." (Romans xii, 11.)

Aside from his perfect candor, nothing impressed me more than his splendid mastery of himself. I have seen him under very trying circumstances, but I never saw him lose his self-control. This may explain in part how, even when under the strain of public life at Washington, he found time to respond to every earnest, honest appeal, whether it was that of a Chinaman with visions of wealth through a patent or a schoolboy wanting help in debate. Each time he was prompt, thorough, painstaking, often writing many pages in reply.

Remember, friends, it is Congressman SMITH, and not ex-Congressman. He fell with his armor on. Never was mind more alert or heart more responsive to every worthy cause. Never has his honor been impeached or his reputation sullied by charges of corruption.

Suffice it to say he never brought
  His conscience to the public mart,
But lived himself the truth he taught,
  White-souled, clean-handed, pure of heart.

By means of mails and messages he kept to the very last in closest touch with matters in general, yet more especially here in Bakersfield and in Washington. On that last day a public document called to his attention the fact that 16 Members of this Sixty-first Congress had died. Before the sun had risen he was the seventeenth.

Such are some of my wandering thoughts in the face of this our sorrow.

To these loved ones our hearts go out in deepest sympathy. But, oh, the weakness of words. The memory of loved ones gone should be a tower of strength. What they achieved and aspired

to should nerve us to meet worthily the present. What an anodyne of grief are rightly cherished memories. What a solemn pride must these dear ones feel to have laid so great an offering on the altar of civic betterment.

A good man's influence is felt by multitudes. It is not limited to this life, but reaches onward to the eternal future. Virtue is not only an antidote for life's greatest evils, but it is the chief measure of present enjoyment. It secures the approval of one's conscience, harmony of one's faculties and affections, the regard of one's fellow men, and hope beyond the grave. His life is an inspiration, a breath of new life, of quickening, purifying, and elevating power. Forget not that as we exhibit the virtues of faithfulness we embalm his memory and pay him our best tribute.

Not many great, not many mighty have gone forth from this city to worthily advance State and National honor. To-day we pay tribute to a child of the prairie, who came to us in the prime of young manhood. The blood of the Pilgrims flowed in his veins. In a simple, yet sublime, spirit he climbed by sterling worth and indomitable courage to a prominent place in the Nation's council chambers. This friend and neighbor that we had learned to love and trust went from us that he might serve us and all humanity better.

Human hopes and human creeds
Have their root in human needs.

Humble child of the prairie, laborer, teacher, lawyer, politician, orator, statesman, true Christian, and true man, we receive and will cherish the lessons of thy life. We are grateful to thee that thou wast true to thyself, to us, and to thy Maker; grateful also to that Providence that endowed and led and consecrated thee to the sacred cause of civic righteousness. Dead, do they say? Nay, that can not be. Thou resteth from thy labors, but livest unfettered a more abundant life.

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### EULOGY DELIVERED BY JUDGE J. W. WILEY

This occasion brings us together in sorrow and pride. Although death is as common as life, it ever brings sorrow as deep as was our friendship, love, gratitude, and esteem in life. The sorrow

and esteem are more eloquently manifested by this multitude of sad faces than words at my command can express. Yet depressed as we are we are filled with pride that the distinguished dead, in whose honor and memory resolutions have been passed on both shores of this Nation, was our dear friend and neighbor. He was one of us. He worked and toiled and suffered with us in our undertakings; he sympathized with us in our failures and rejoiced with us in our successes. It is fitting and proper for the National Congress, the State legislature, the commercial and civic bodies of other communities to give expression of their high esteem and appreciation of his worth as a public man, but we knew him by the shake of the hand, the kindly smile, the neighborly acts of kindness, and his words of good cheer. We were and are proud of his successes in public life because he won them on merit. He asked no odds, he claimed no preference. Think not you, however, that his career has been one of easy victories and triumphal marches. On the contrary, he bore the cross before he wore the crown. He was chastened by fire. While he never felt the pinch of poverty, his early life was one of toil and self-denial. He once said to me: "I had to learn how to be poor." He began at the bottom with nothing to aid him but his own individuality. He realized and appreciated as a maxim that he would be accepted at what his own efforts and trials of character made him. His industry, his devotion to duty, his high standard of morals, both public and private, and a patient continuity of purpose constituted the elements of his success. As editor of the Kern County Echo, since 1888, he has been identified with the public affairs of this community. Turn back to the old files of the Echo and you will find him advocating and suggesting plans and schemes for the betterment and general welfare of Bakersfield and Kern County. Bakersfield was not incorporated as a city until 1898, but you will find in these editorial columns that the deceased had been consistently and continuously arguing and pleading for a municipal government for many years. Those of you who were citizens of Bakersfield at the time need not be told of his activities in promoting the San Joaquin Valley Railroad, which is now a part of the Santa Fe system. He was active in organizing the local board of trade, and became its president. Later he promoted the San Joaquin Valley Commercial Association and became its executive head.

IN STATE SENATE

In the State senate, by virtue of his clearness of insight and quick perception, his power of discrimination and ability as a debater readily won him recognition and leadership. I have known many of his colleagues in the senate, and the esteem and respect in which he is held by them is a priceless legacy to those who hold his memory dear. To speak in detail of the measures and policies he initiated and brought into law as a member of the State senate would extend beyond proper limitations.

But some deserve mention. His greatest pride in his legislative achievement was the establishment of the California Polytechnic School, at San Luis Obispo. His theory of life was that every person who was honest and industrious and frugal should be able to establish and maintain a home, rear a family, and comfortably house, clothe, and feed them, educate them, have time to enjoy their society, and accumulate a competency for the infirmities of old age. To bring this about he believed that labor should be rendered more efficient and less irksome. To do this the followers of industrial pursuits should be educated and trained to their respective pursuits. To this problem he gave his early attention as a legislator. At his first session, in 1895, he got the measure passed in the senate, but failed in the assembly. In 1897 it passed both houses, but was vetoed by the governor. Session after session he labored for the measure, and it finally became a law in 1901 and the school was established. The object of the institution may be quoted from the law establishing it: "The purpose of this school is to furnish to young people of both sexes mental and manual training in the arts and sciences, including agriculture, mechanics, engineering, business methods, domestic economy, and such other branches as will fit the students for the nonprofessional walks of life. This act shall be liberally construed, to the end that the school established hereby may at all times contribute to the industrial welfare of the State of California."

In 1904 he was elected to the House of Representatives in Congress from the eighth congressional district of California.

CONGRESSIONAL CAREER

Of his achievements in Congress I would mention his securing an appropriation of $2,000,000 to protect the settlers in Imperial Valley from the ravages of the Colorado River. In 1911, when

death seemed impending, he secured, against determined opposition, the passage of what is called the Smith bill, whereby the investors in located oil land were saved from the effect of a decision of the Department of the Interior that threatened and jeopardized investments of millions of dollars in the oil lands of this country.

In 1908 he was appointed as a member of a joint committee from the Senate and House of Representatives on what is known as the National Monetary Commission. This was his highest recognition in public life. He had then served in Congress less than two terms, and was selected as one of nine from the total membership of the House of Representatives to collaborate and devise a monetary system that would better meet the needs and requirements of the complexities of our financial conditions. From this commission he was compelled to resign two years later by declining health. One of his first efforts after becoming a Member of Congress was to introduce a bill looking to the construction of a Federal post-office building in Bakersfield. In 1910 he secured an appropriation of $20,000 for a site, and there is now included in the proposed general appropriation bill of Congress a recommendation by the Public Buildings Committee for the appropriation of $135,000 for the erection of a post-office building at Bakersfield. That the appropriation will be made is practically assured, and we may confidently hope to see the edifice stand in the near future as a monument to his efforts in behalf of his home city.

With this brief recital of a few of the more salient events in the career of our friend and neighbor, our thoughts are turned by the hand of death from history into the field of speculation. We may, in reason, believe that had he been given the average allotment of life, had he been permitted to enjoy the twilight of old age, he could have reviewed a career marked by achievements greater and more distinguished than those we here commemorate. But such was not to be. His sun went down at noon, leaving the harvest half gathered. But we are left more than a memory. We have another demonstration that the cherished hopes of the founders of this Government have been realized. It is a saying, far too common, that the poor man or the child of obscurity is here without opportunity or possibility of progress. Congressman SMITH has proved that by industry, by fidelity to duty, honesty of purpose, and courage in defeat and disappointment the

child of obscurity may achieve fame and recognition. But his courage was not that of the bulldog. It was the courage of his convictions, that could stand in the face of temptation or threatened defeat. These elements of success are not peculiar to the statesman, but apply to every vocation known to civilization and have no exceptions. Take any merchant, any professional man, or any mechanic who has won distinction in his vocation and you will find one who has traveled the road from the bottom.

### A MAN OF THE PLAIN PEOPLE

But in the everyday walks of life he was at his best. His hand was ever ready to do charity, but always without ostentation. His charity was not limited to giving alms but was based in a broad and deep human sympathy. Did anyone need work? SMITH would find time to help him get a job. Did a stranger come within our gates? SMITH would give him the glad hand of welcome and make him feel at home. In the hour of his triumph he seemed to cling the more closely to the old friends in adversity. Their companionship was ever welcome and he seemed happiest when they were gathered round his board enjoying his hospitality. He had self-confidence, but it was never tainted with bigotry or egotism. He was democratic in the purest sense.

As a guest, who may not stay
Long and sad farewells to say,
Glides with smiling face away.

Of the sweetness and the zest
Of thy happy life possessed
Thou hast left us at thy best.

Now that thou hast gone away,
What is left of one to say
Who was open as the day?

What is there to gloss or shun?
Save with kindly voices none
Speak thy name beneath the sun.

Safe thou art on every side;
Friendship nothing finds to hide;
Love's demand is satisfied.

Over manly strength and worth,
At thy desk of toil, or hearth,
Played the lambent flame of mirth.

Mirth that lit, but never burned;
All thy blame to pity turned;
Hatred thou hadst never learned.

Every harsh and vexing thing
At thy home fire lost its sting;
Where thou wast was always spring.

And thy perfect trust in good,
Faith in man and womanhood,
Chance and change and time withstood.

Small respect for cant and whine,
Bigot's zeal and hate's malign
Had that sunny soul of thine.

## Address of Mr. Mondell, of Wyoming

Mr. Speaker: It was my good fortune to be intimately acquainted and to sustain pleasant friendly relations with Sylvester Clark Smith during his entire service in the House of Representatives. Coming from the same region of the country, serving on the same committee, and holding to a considerable extent like views on many public questions, it was natural that the acquaintance that formed should ripen into a friendship which continued to the close of Mr. Smith's service here.

Few men whom I have met during my service in this body have impressed me as our late colleague did with the intense earnestness of his character and the steadfastness of his opinion. He was not only a man of strong convictions, but he possessed to a marked degree the courage to back up and express his opinions and convictions under any and all circumstances. In every walk of life men are constantly under temptation to compromise views and opinions and to withhold emphatic expression of them when they are not in harmony with the views of those with whom they associate or with local or general public opinion. Within reasonable bounds it is not a sign of weakness, and it is entirely proper, for one to yield to such influences. In order to secure results and make headway it is frequently necessary for us to somewhat compromise our extreme views and opinions. It is not only a gracious concession, it is often the part of wisdom to refrain from over-emphasizing views that may be offensive or obnoxious to others. But all this must be within reason, for one should never compromise on a matter of principle, and a disposition of ready com-

promise on matters of policy may entirely defeat our usefulness.

Our departed friend was one of those who seldom unwisely yielded to a compromise of his views and opinions. Always thorough, honest, and painstaking in his investigation of questions and problems, his opinions with regard to them when finally formed were so firm, steadfast, and sincere that he maintained them as emphatically and valiantly among those holding different views, and at a time when other views were popular, as he did when his opinion was the prevalent one and therefore easy to maintain. Mr. SMITH had a world of good qualities—he was fair and faithful, just and reasonable, but above all things he was sincere in his convictions and fearless and persistent in maintaining them.

Those who have been long in public life, who realize how great is the temptation to timeserving, to drift along with a wave of popular sentiment, or through hypocrisy and demagoguery to advance it, can not fail to have a high regard and a sincere admiration for those qualities of honesty and sincerity of opinion and expression which characterized him in whose honor we are gathered here to-day. No period of Mr. SMITH's life illustrated his real courage better than the last months, when he maintained his courage and a large degree of cheerfulness in the face of increasing certainty that his days were numbered. I have counted it one of the most cherished experiences of my service here that I have acquired and retained the friendship of this honest, just, and steadfast man. The recollection of his virtues will be a comfort to all those who mourn him and an inspiration to all who knew him.

## Address of Mr. Knowland, of California

Mr. Speaker: My first acquaintance with Congressman Smith dates back to 1899, 14 years ago, when I entered the lower branch of the Legislature of the State of California. He was then a member of the State senate, in which body he served for eight years. He had the reputation of being one of the most able fighters in either branch of the legislature, a characteristic which distinguished him throughout his public career and which he manifested up to the very last in his heroic struggle against death.

I recall having passed through the assembly a bill in which I was particularly interested, providing against home study for children under a certain age, and the prospect that this bill was likely to become a law filled my young heart with pride. The day of its consideration by the senate I walked over to that chamber convinced that the members of that body would appreciate its many meritorious provisions. It was one of my first bills, and every legislator appreciates how wrapped up we may become in the first measure we father. Senator Smith rose in his seat and proceeded to vigorously attack certain features of my measure, and no doubt he was right, being largely instrumental in bringing about its defeat, although a reconsideration was later had and the bill passed. When the roll call disclosed the defeat of my pet bill, young and inexperienced as I then was, I convinced myself that Smith and I could never be friends. But I soon grew to admire and respect him, and later, when we joined issue in a contest before the legislature to bring about the defeat of one candidate for United

States Senator and the election of another, we became friends, which friendship grew when he entered this body at the beginning of the Fifty-ninth Congress.

As a State senator SMITH was active and effective. He was deeply interested in the introduction of manual training in the schools of his State. It was largely through his efforts that the State polytechnic school at San Luis Obispo was erected. SMITH was a thorn in the side of every lobbyist who attempted to slip through the legislature an apparently harmless bill which contained hidden away somewhere what is frequently termed a "bug." He would find the objectionable language and point out its baneful effect when others had failed to discover anything wrong in an apparently innocent bill.

SYLVESTER SMITH early developed those traits of character so essential to success in public life. His word was always good. He never hesitated to declare where he stood. He fought fairly but always vigorously. His judgment was sound. When the House Office Building was completed and we selected offices, SMITH and I occupied adjoining rooms. I consulted with him frequently, for he was 15 years my senior, and I always found his advice to be sound.

The Morning Echo, published in Bakersfield, Cal., which paper SMITH edited and controlled, was a paper widely read and quoted throughout the State, because of its able editorials. Its opinions were sound, although not always following public sentiment in California, which within recent years has been somewhat variable. The paper was always independent and courageous, like its able editor. His physical courage was illustrated many years ago when there came into the Echo office a man with a revolver in one hand and a clipping from the paper in the other, the gun being leveled at SMITH'S head. A demand was made that the editor retract. SMITH

coolly told one of his men to phone for the sheriff, and continued to write at his desk.

In life we too frequently see striking examples of attempts to place round men in square holes, or the reverse. I am of the opinion that in legislative life particularly no man is a success unless he possesses a special liking for the work. SMITH had a special aptitude for legislative work. I remember the last time he came into this Chamber, and after I had helped him from his carriage to his seat, that he said to me, with just a tinge of sadness in his voice:

> Knowland, I wish I was able to stay here. I like the work and the opportunity it gives one to keep in touch with public affairs. It is worth while.

SMITH was successful here because he loved the work. He was not only interested in legislation, but he enjoyed the game of politics. He did not become easily discouraged, as do many men who enter this body, because he could not upset existing conditions and reform the country in a day. He worked hard. His career gives the lie to the contention that a man succeeds here largely through luck. It is no more true here than elsewhere. A man succeeds here because of work—constant work and close attention to duties.

Congressman SMITH's ability and aptitude for work were recognized by the House leaders, and he was given some of the best committee assignments of any Member from the Pacific coast. He was a member of the Committee on Rules, at that time looked upon as one of the most, if not the most, important of the House committees. He was also a member of Committees on the Public Lands and the Post Office and Post Roads. SMITH was responsible for much legislation of value to his State and country. He was a member of the National Monetary Commission. As a member of the Public Lands Committee he never

hesitated to freely and publicly criticize policies of the department which he believed to be wrong and not in the interest of the people of his State.

Congressman SMITH was not easily carried off his feet. He held convictions which took more than temporary waves of public sentiment which sweep across the country to change. He loved a fight, and I believe he would rather at any time have addressed a hostile audience than one which held opinions similar to his.

When the insidious disease which later carried him off first manifested itself his colleagues pleaded with him to go home, where the balmy climate might have effected a cure in those early stages of the disease. But he would not go. As long as he could stand upon his feet he insisted on working. There was so much to do that he did not feel that he could leave. Like the good soldier he remained at his post of duty as long as his physical strength permitted.

Occasions like this to-day are sufficiently sad when we meet to mourn the loss of those called after the shadows of evening have gathered, when the sun is sinking beneath the horizon, and when the storms and struggles of life are over and the peace and quiet of advancing age have stolen into the heart. But in this instance we feel more keenly the loss, perhaps, because we have assembled to pay loving tribute to one called in the noontime of his usefulness, when the sun was shining high in the heavens and when hope was in the heart, strength in the arm, and courage in the soul. The calling of one in the full vigor of his manhood causes the uncertainty of life to loom up before us.

SYLVESTER SMITH possessed a happy disposition. He was an optimist. He had no patience with the pessimist. He was happy and contented because he sought to cheer and brighten the lives of those with whom he came in

contact. He leaves the heritage of a pure and upright life. He possessed character, and nothing is more important or essential. In his death California has lost a valuable citizen and an experienced legislator. Well could he approach the mysterious change calmly, bravely, cheerfully, and with a consciousness of duty faithfully performed, for he had lived an upright and honest life. The California delegation will greatly miss him.

Mr. Needham at this point assumed the chair as Speaker pro tempore.

## Address of Mr. Lloyd, of Missouri

Mr. Speaker: Mr. Smith, the subject of to-day's memorial, represented the southwest corner district in the United States. He lived in the country of the orange and lemon, near the coast on the west of California, in a locality where frost is seldom found and ice is almost unknown excepting on the mountains, whose lofty peaks are continuously snow-capped and in full sight from the plains of green, which are covered with tropical growth.

Mr. Smith pursued the course so common to the professional and official classes. Reared on a farm, he afterwards taught school and became a lawyer, following the avocations engaged in by many of the men who now occupy place amongst us. Mr. Smith, however, later engaged in journalism, and his first venture was in the locality in which he lived. He was chosen editor of a small weekly paper for the purpose of forwarding a certain movement, but his paper so prospered that later it developed into a splendid country weekly, and finally into a daily publication which exerted quite an influence in molding sentiment in his district.

I knew Mr. Smith quite well here, and found him to be an honest and courageous man. He had decided convictions which sometimes made him appear to be biased in his judgments, but I do not believe that his sincerity of purpose could be questioned. I knew him not as a partisan in politics, but as a business Representative. My work with him was in postal matters, where there is little room for partisanship to assert itself. He proved himself there to be a useful investigator after truth and a man with a purpose—that of endeavoring to ascertain

what was most beneficial to the people in the matter of maintenance, continuance, and enlargement of our splendid postal service.

How strangely different men reach the end of life's work! Our colleagues frequently die suddenly or after short illnesses, but Mr. SMITH knew for many months that the disease preying upon him would never lose its grasp. The angel of death in his case gave every warning of its approach and every step of its unwelcome coming was duly considered. Occasionally men are found who shudder at the thought of dissolution. Others approach the end with calmness and serenity and make their exit with as little disturbance as if they were called to step across a tiny brook, while a few appear to even rejoice at the prospect of a change. To them life seems irksome and death the goal desired.

Over 3,000 miles away, under the same sun which shines upon us here, lie the mortal remains of SYLVESTER CLARK SMITH, but the spirit which left its earthly habitation lives and is meeting the reward of his life service in this beautiful world. The earthly ties which bound him to those about him are severed, but love for him and friendly feeling were not buried with his body, but live to bless and revere his memory. His friends will miss him, because they knew and appreciated his worth.

Mr. SMITH was not reckoned amongst the great leaders of the House, but belonged to that working class which is expected to delve into and work out the plans of others. While not the pliant tool of anyone, he was subject always to the direction of his party. He was truly a partisan, but a patriot as well. He believed that the good of the country could best be conserved through the party with which he was affiliated. There is a disposition at present to drift away from party organization and consider lightly party ties, but many of the best thinkers hold

to the belief that party organization and party success are essential for the country's good. And this was the view of Mr. SMITH.

This life is a mystery. Man is here for a day and passes away. He has in him the spirit of immortality. How that can be and this body abandoned to the elements of nature we can not tell. This is a life of hardship and sorrow. With every source of comfort there seems to come a corresponding sorrow. Earthly ties are formed, love's fires kindled, friendship's charms are enjoyed while men live, but only last for a time, for separations come, bonds of affection are severed, family circles, the most sacred, are cut asunder, and the most fearful afflictions come whose intensity is measured by the strength of the bonds of affection and interest.

Mr. SMITH has gone, but his going has brought greatest sorrow to those to whom he was most closely bound.

There is consolation in the thought that his life here was a benediction and there is another life where reunions are perpetual, separations never come, and happiness is fully enjoyed.

## Address of Mr. Hayes, of California

Mr. Speaker: It is altogether fitting that we should upon an occasion of this kind call to mind and put into permanent form in the Record of this House our pleasant memories of our departed colleagues. Although they have passed from the earth where this service can do them no good, it can but stimulate in us who participate in it the tenderest and noblest emotions. When a man has faithfully served the people and added luster to membership in this House, it should be a pleasing duty to bear testimony to his honesty, fidelity, and ability.

I first met Sylvester Clark Smith at Sacramento about the year 1899 when he was a member of the Senate of California. He impressed me then as a man of great energy and force of character, who had the deepest convictions upon most subjects and the courage to back them up in debate on the floor of the senate. In 1905 I entered the Fifty-ninth Congress with Mr. Smith, and a continuous service with him as a Member of this House up to the time of his death confirmed me in this first estimate of his character. His service to his constituents was marked by great zeal and industry in their interest, while at the same time he took an active part in legislation not local in character but which affected the whole people of the Nation. Until disease began some two years ago to sap his vitality and undermine his strength Mr. Smith's discussions of public questions upon this floor were most able and illuminating. He never undertook to discuss a question to which he had not given earnest and exhaustive study. His speeches here were not frequent, but

when he did speak he always had something to say that was both interesting and instructive to his colleagues. He never permitted himself to fill up the Record with platitudes, vaporous nothings, errors, or technical objections, in order to impress his constituents with his great activity as a leading Member of the House. Whenever he spoke he had a high purpose to serve and never descended to the tricks of the demagogue. While I frequently did not agree with him on public questions, I here and now cheerfully accord to him perfect honesty and loyalty to what he believed to be the highest interests of his country in the discharge of his duties as a Member of this House.

Whatever faults Mr. SMITH had, cowardice was not one of them. That the things he believed and advocated were unpopular seemed to make no difference to him. He represented a constituency almost wholly rural. His people, by a large majority, favored a large extension of the parcel post, but this did not deter him from making a strong speech against it and circulating it in his district. He believed that the extensive enlargement and lowering of rates proposed by those who advocated a parcel post would sound the death knell of the retail merchant, and especially of the small country merchant. He did not believe that this result would be for the ultimate benefit of the country people themselves. Therefore, regardless of the political consequences to himself, he grimly entered the war to prevent the result that he feared. Many of us might well emulate this virtue of courage which he exemplified to a marked degree.

But he has gone from us and from those he loved to other scenes and associations. I think I am disclosing no secret when I say that one of his bitterest thoughts when he faced death was that he must give up his seat

on this floor, with its pleasant association of friendships, and must cease his activities in the intellectual and legislative struggles of this great body, all of which was most attractive to him and in all of which he found the keenest enjoyment. Let us hope that his regrets at leaving the earthly activities of his life may have disappeared in the enjoyment of the realities of the heavenly kingdom.

When our friends leave us I like to try to forget the pain of parting by projecting myself into the great beyond, as it were, and participating in the joy of the meeting over there. I like to strive to realize that it is comparatively but a day in the future when each of us must answer the call of the boatman and row over the waters of the dark river to the beautiful shores upon the other side. I love to think of the reuniting of those blessed ties of love and friendship which are not fully severed by death, but only interrupted for a little, waiting the time when we, too, shall be called to take our places with the great company in the beyond. Let thoughts like these fill the hearts of those whom he loved and who loved him and soften their grief and enable them to say, with the poet:

When for me the silent oar
  Parts the silent river,
And I stand upon the shore
  Of the strange forever,
Shall I miss the loved and known?
Shall I vainly seek mine own?
Shall I vainly seek mine own?

Can the bonds that make us here
  Know ourselves immortal
Drop away like foliage sere
  At life's inner portal?
What is holiest below
Must forever live and grow,
Must forever live and grow.

He who plants within our hearts
All this deep affection,
Giving, when the form departs,
Fadeless recollection,
Will but clasp the unbroken chain
Closer when we meet again,
Closer when we meet again.

Therefore dread I not to go
O'er the silent river;
Death, thy hastening oar I know;
Bear me, thou life-giver,
Through the water to the shore
Where mine own have gone before,
Where mine own have gone before.

At this point the Speaker resumed the chair.

## Address of Mr. Kahn, of California

Mr. Speaker: I first met Sylvester Clark Smith when he was a member of the Senate of the State of California, in the early part of the year 1895, and from the day of our first meeting to the day of his death I had learned to honor, esteem, and respect him. He was a man who held decided views, and resolutely stood by them once he was convinced that he was right. He did not fear political oblivion, even though constancy to a cherished doctrine, the correctness of which he had decided for himself, meant for him political oblivion. He took a prominent part in the discussions that took place in the State senate upon questions that were uppermost before the people of his adopted State of California, and even those who were opposed to him politically admired his clearness of thought and his terseness of expression whenever he debated any of these great public questions. He witnessed a wonderful expansion of the various industries in his own section of California—the great San Joaquin Valley—and was ever alert in safeguarding the rights and protecting the interests of his immediate constituency. He continued in the State Senate of California for eight years, and in 1904 was elected to the Fifty-ninth Congress. He soon acquired a commanding position in this House. As a member of the Committee on the Public Lands he was able to be of signal service to the West and the Nation. He was familiar with the great problems affecting water and water rights; timber, mining, and homestead entries; and subjects of cognate character, problems in which the West is vitally interested. The

discovery of oil in Kern County, the county in which he had made his home since 1883, gave a marvelous impetus to the development of that section of California. This discovery gave rise to problems that required Federal legislation in their solution. He took an active part in perfecting that legislation.

It was while he was a Member of Congress that the question of the conservation of the great natural resources of the Republic became prominent. While he believed in conservation, he stuck tenaciously to the view that the State in which the natural resources to be conserved were located ought to be the beneficiary of the conservation rather than the Federal Government. In uttering these views he simply expressed the sentiment of the great majority of the residents of the Western States. His fellow citizens believed that he was destined to a career of great usefulness, not only for his own district, not only for the State of California, but for the entire Nation. He was a student and eagerly burned the midnight oil in order to inform himself fully upon any subject that happened to challenge the attention of the Nation for the time being. He was a thinker and always drew his own deductions and his own conclusions after he had fully studied any particular question. Once having decided upon his course, he followed it with determination to the very end.

It was a great shock to those who knew him when announcement was made that he was stricken with a fatal malady and that his days on earth were numbered. He lingered for nearly two years before the end came. To the very last he had hoped that he might regain his strength sufficiently to enable him again to take his seat in this House and work for the welfare of those whom he represented here. But it was ordained otherwise, and on Sunday morning, January 26, 1913, he died in the very

heart of the orange groves of southern California. His honesty, his integrity, his ability, made him a host of friends and admirers, and though the end was not unexpected they were all shocked to hear the sad news of his passing.

In his death this House has lost an able, earnest, effective Member and the people of the State of California an industrious, energetic, and capable Representative.

## Address of Mr. Pray, of Montana

Mr. Speaker: Almost every Sunday during the present session memorial services have been held in the Hall of Representatives for departed friends and colleagues.

It has often been said during the past few weeks that death's harvest in the Sixty-second Congress has been greater than in any previous Congress since the Civil War. I do not know whether this statement is literally true or not, but no one could fail to observe that during the present session of Congress, in the midst of our official activities and ambitious endeavors, the visitations of that mysterious and unwelcome messenger have been more frequent than at any other time in recent years. The crape-covered desk, the wreath of flowers, the vacant chair, and the absence of a familiar face all bear mute testimony of his presence among us and likewise of the pain and grief he has inflicted.

The ceremonial of sorrow this afternoon is in memory of seven Senators and Representatives of the United States, and many eloquent and impressive eulogies have been delivered touching the life, character, and public services of each one of these distinguished men. I can not hope to add anything of worth to what has already been said on this occasion, but I should feel that I am wholly unappreciative of the deep friendship of one who but a few weeks ago was an honored Member of this House if I were to allow this opportunity to pass without paying a last tribute of respect to the memory of the Hon. Sylvester Clark Smith, who during four successive Congresses held a high place in the confidence and esteem of the Members of this important branch of the Federal Government.

He had been upon the floor of the House but seldom during the present Congress owing to the illness which finally resulted in his death, and which in all probability was largely due to his irresistible passion for work. I never knew a man who was more diligent in the performance of a duty or more faithful in the discharge of every trust reposed in him. In his untimely demise the people of California and of the country at large have been deprived of the services of an able, industrious, and conscientious public servant. But the saddest thoughts of all come to us when we speak of the bereaved widow and children upon whom the loss falls with greatest severity. May the knowledge of his distinguished services to his State and country, his spotless life and nobility of character, and the sweet memory of his devotion as a husband and father mitigate their grief and bring comfort to their hearts in this hour of sorrow. The great State of California will ever honor, cherish, and revere the memory of her distinguished son.

SYLVESTER CLARK SMITH began life on a farm in the State of Iowa and worked his way through school and college. He removed to California and, while engaged as a teacher in the public schools, studied law, was admitted to the bar, and later achieved success in his chosen profession. During this period, however, his activities were not confined solely to the practice of law.

For several years we find him engaged in writing editorials for an influential daily newspaper which had been established by his friends and neighbors in the city of Bakersfield. As a lawyer and editor he soon attained prominence in his State and was later chosen as a Representative from the eighth congressional district to the Fifty-ninth, Sixtieth, Sixty-first, and Sixty-second Congresses. Few men have been better equipped for service

in the National House. He was intensely earnest in debate and always possessed a thorough understanding of his subject. He was a profound student and gave to every question that claimed his attention the most intense application. His mind was logical and his deductions accurate. During an intimate acquaintance, extending over a period of several years, I never knew him to compromise with expediency. He possessed in the highest sense the courage of his convictions and was ever ready to defend them, no matter what the effect might be upon his political fortunes. Neither the sharp criticisms of a partisan press nor the denunciations of political opponents could swerve him in the slightest degree from what he conscientiously believed to be the line of duty. He was an able advocate of any cause he espoused, but his deep sense of justice and fair play rendered him incapable of taking undue advantage of his adversary.

Mr. Speaker, SYLVESTER CLARK SMITH was a self-made man, but he was extremely modest and unassuming and never made boastful mention of his early struggles and later achievements. His success in life was due to his sagacity, perseverance, and innate honesty. He was candid, outspoken, and sincere, but when he differed from others in respect to a question under consideration he was always courteous and respectful and never had it in his heart to wound the feelings of another.

His name is written high upon the scroll of honor. His life is an inspiration to the young men of the country. I can not believe that our beloved friend and colleague has passed forever from our sight.

> There is no death; what seems so is transition.
> This life of mortal breath
> Is but a suburb of the life elysian
> Whose portal we call death.

Mr. NEEDHAM. Mr. Speaker, I ask unanimous consent that Members may have five legislative days in which to extend their remarks in the Record.

The SPEAKER. The gentleman from California [Mr. Needham] asks unanimous consent that Members may have five legislative days in which to extend their remarks in the Record. Is there objection?

There was no objection.

Mr. Finley resumed the chair as Speaker pro tempore.

ADJOURNMENT

The SPEAKER pro tempore. In accordance with the resolution previously adopted, the Chair declares the House adjourned until 10.30 o'clock to-morrow morning.

Accordingly (at 8 o'clock and 28 minutes p. m.) the House adjourned until to-morrow, Monday, February 24, 1913, at 10.30 o'clock a. m.

PROCEEDINGS IN THE SENATE

MONDAY, *January 27, 1913.*

A message from the House of Representatives, by J. C. South, its Chief Clerk, communicated to the Senate the intelligence of the death of Hon. SYLVESTER C. SMITH, late a Representative from the State of California, and transmitted resolutions of the House thereon.

Mr. PERKINS. I ask the Chair to lay before the Senate the resolutions just received from the House of Representatives.

The PRESIDENT pro tempore. The Chair lays before the Senate resolutions of the House of Representatives, which will be read.

The Secretary read the resolutions, as follows:

IN THE HOUSE OF REPRESENTATIVES,
*January 27, 1913.*

*Resolved*, That the House has heard with profound sorrow of the death of Hon. SYLVESTER CLARK SMITH, a Representative from the State of California.

*Resolved*, That the Clerk communicate these resolutions to the Senate and transmit a copy to the family of the deceased.

*Resolved*, That as a further mark of respect this House do now adjourn.

Mr. PERKINS. Mr. President, I offer the resolutions I send to the desk, for which I ask present consideration.

The PRESIDENT pro tempore. The resolutions submitted by the Senator from California will be read.

The Secretary read the resolutions (S. Res. 143), as follows:

*Resolved*, That the Senate has heard with deep sensibility the announcement of the death of Hon. SYLVESTER C. SMITH, late a Representative from the State of California.

*Resolved*, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

*Resolved*, That as a further mark of respect to the memory of the late Representative SYLVESTER C. SMITH the Senate do now adjourn.

The PRESIDENT pro tempore. The question is on agreeing to the resolutions.

The resolutions were unanimously agreed to; and (at 4 o'clock and 51 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 28, 1913, at 12 o'clock meridian.

MONDAY, *February 10, 1913.*

Mr. PERKINS. I desire to give notice that on Saturday, March 1, 1913, I shall ask the Senate to consider resolutions commemorative of the life and character of Hon. SYLVESTER CLARK SMITH, late a Member of the House from California.

MONDAY, *February 24, 1913.*

A message from the House of Representatives, by J. C. South, its Chief Clerk, transmitted to the Senate resolutions of the House of Representatives on the life and public services of Hon. SYLVESTER CLARK SMITH, late a Representative from the State of California.

SATURDAY, *March 1, 1913.*

The Senate met at 10 o'clock a. m.

The Chaplain, Rev. Ulysses G. B. Pierce, D. D., offered the following prayer:

Almighty God, our heavenly Father, we thank Thee for the gracious Providence which brings us to this day

of solemn and reverent memory. As we recall the life and public service of him whom we this day commemorate, we pray Thee to inspire our minds and to give utterance to our lips that we may fitly honor the life which Thou hast called to Thy nearer presence and to Thy higher service.

We pray Thee, our Father, to comfort those that mourn. Uphold them by Thy heavenly grace and grant that neither the height of remembered joys nor the depth of sorrows that can not be forgotten, nor the present with its burdens nor the future with its loneliness may be able to separate them from the love of God which is in Christ Jesus our Lord.

In the name of Him who abolished death and brought life and immortality to light, hear Thou our prayer. Amen.

Mr. PERKINS. Mr. President, I ask the Chair to lay before the Senate resolutions from the House of Representatives on the death of the late Representative SYLVESTER C. SMITH.

The PRESIDING OFFICER (Mr. Page in the chair). The Chair lays before the Senate resolutions from the House of Representatives, which will be read.

The Secretary read the resolutions, as follows:

IN THE HOUSE OF REPRESENTATIVES,
*February 23, 1913.*

*Resolved,* That the business of the House be now suspended that opportunity may be given for tribute to the memory of Hon. SYLVESTER CLARK SMITH, late a Member of this House from the State of California.

*Resolved,* That as a particular mark of respect to the memory of the deceased and in recognition of his distinguished public career the House at the conclusion of the memorial exercises of the day shall stand adjourned.

*Resolved*, That the Clerk communicate these resolutions to the Senate.

*Resolved*, That the Clerk send a copy of these resolutions to the family of the deceased.

Mr. PERKINS. Mr. President, I offer the resolutions which I send to the desk, and ask for their adoption.

The PRESIDING OFFICER. The Senator from California offers resolutions, which will be read.

The resolutions (S. Res. 493) were read, considered by unanimous consent, and unanimously agreed to, as follows:

*Resolved*, That the Senate has heard with deep sorrow of the death of Hon. SYLVESTER CLARK SMITH, late a Member of the House of Representatives from the State of California.

*Resolved*, That as a mark of respect to the memory of the deceased the business of the Senate be suspended in order that proper tribute may be paid his high character and distinguished public services.

*Resolved*, That the Secretary communicate a copy of these resolutions to the House of Representatives and to the family of the deceased.

# MEMORIAL ADDRESSES

## Address of Mr. Perkins, of California

Mr. President: In the death of Sylvester C. Smith California has lost one of the ablest and most conscientious men who ever represented that State in Congress.

When just of age he went from Iowa to the Pacific coast, at about the time when the first signs of that rapid growth which has since characterized the Golden State began to manifest themselves.

He began life there by teaching in the interior valleys, and soon selected as his permanent abode Bakersfield, at the upper end of the San Joaquin Valley, which region was then sparsely settled and the inhabitants engaged in agriculture of a comparatively primitive character.

His energy and ambition were marked and were demonstrated in his study of law while pursuing the arduous calling of teaching. On admittance to the bar he at once identified himself with the efforts of the people to develop the vast resources of that part of the State.

Ordinarily the region was apparently barren, owing to lack of rainfall. The great need was water, and when the farmers began to agitate the subject of irrigation he threw himself into the movement with his whole heart, and to his intelligent and constant work is due in a very great measure the present surprising prosperity of the San Joaquin Valley.

In the prosecution of his public-spirited designs he became editor and later proprietor of the leading newspaper in that part of the State, and he retained his connection with it up to the time of his death.

In law, in journalism, and in politics he worked constantly for the public good, and he had the satisfaction of seeing that his efforts were appreciated and his influence sought in every movement for the advancement of the community in which he lived and of the entire State.

He was the active friend of irrigation everywhere, and early perceived the necessity for conserving the forests for the benefit of the dwellers in the valleys.

He came into contact with the hardy and adventurous cultivators of the soil in many ways, and studied their needs and resources.

In connection with irrigation he came into personal contact with the great movement to develop the water resources of the mountains for power purposes.

In speaking in Congress on this subject he said:

> In the district which I have the honor to represent here many thousands of dry and sterile acres have been made fruitful—are now golden and purple with the orange and the grape—and thousands have found happy homes because power from a mountain stream makes pumping for irrigation possible.
>
> Development in this direction has just begun. Hundreds of thousands of acres yet await the advent of the home builder and the pump.
>
> Villages and towns may have productive industries because of the presence of suitable power facilities, and modern lines of transportation are made possible in the same way.

This prediction has been fulfilled, and the development in manufacturing and in transportation facilities in California through the use of streams to develop electric power has been marvelous, and this source of power has as yet been only touched.

His knowledge of land laws and his intimate acquaintance with the public lands and questions growing out of them caused him to be selected as a member of the Public Lands Committee, on which he served throughout his

congressional career, and of which he became one of the most useful and influential members.

He took a deep interest in educational subjects, and served also on the Committee on Education, where his early experience as a teacher made his service of great value.

Congressman SMITH was very zealous in his advocacy of the Panama-Pacific Exposition at San Francisco, realizing that the celebration of the opening of the canal would mark the beginning of a new era for his State.

He had seen the wonderful growth in population and in production during the time of his residence in California, and realized that the growth in the immediate future would far surpass that of the past.

He had seen the population increase threefold, and the rural population increase even in the past 10 years from 7.8 per square mile to 15.2.

And the increase was in the direction in which he had always labored—to build up interior counties, to settle the vast spaces left uncultivated, to diversify crops, and to add to the true wealth of the State by bringing every acre of land under cultivation.

He saw this object in a fair way of accomplishment, and to this his own efforts in no small degree contributed.

He was ambitious to show to the world through the exposition what California is and of what it is capable, and he was firm in the belief that the Panama Canal would eventually make the Pacific coast the most populous and the most prosperous portion of our great country.

He also did good work as member of the Committee on Pacific Railroads and the Committee on Labor, in which subjects he was unusually informed.

In the discussion of all questions before the House, in which he took an interest, Congressman SMITH displayed a clear and logical mind and a grasp of subject which

made him one of the strong men of that body and commanded confidence in his judgment.

This was specially observable in all that related to land matters, to post-office affairs, to public utilities, and the development of the resources of the country.

Financial questions were debated by him with such clearness and manifest command of the subjects and wide knowledge of business methods that his advice was sought by the Monetary Commission, of which he was made a member and on which he served with conspicuous ability.

In everything that could forward the welfare of the common people of the United States, as well as that of the mass of the people of California in particular, Congressman SMITH took a prominent part. Having to do, from the commencement of his career, with the hard-working, industrious, and ambitious tillers of the soil, he knew them intimately, sympathized with them, and entered heart and soul into their efforts to better conditions, with which he was perfectly familiar. To work of this kind he devoted his best talents, and in all the discussions in Congress in which he took part there is observable that kindly and helpful spirit in respect to persons of this class which endeared him to them and aroused in them implicit confidence in him as a public man.

In treating of questions involving the betterment of the conditions of the people in California, as elsewhere, it is a notable characteristic that he dealt in simple fundamental facts, to which he applied his wide knowledge of law, and his arguments and advice were received with a respect which was full acknowledgment of his unselfishness, honesty, and ability.

During the last few years of his life his devotion to what he deemed his duty was as steadfast as when he was in the fullness of his strength.

He was ever engaged in work for the common good, even when his failing health was such as to alarm his friends.

His death itself is believed to have been very materially hastened by the work he did in behalf of temperance in his home city.

Up to the very end he was engaged with all the strength he could command in an effort to better conditions in relation to the liquor traffic.

He died, as he lived, fighting for what he believed to be right, and for the advancement of the interests of the public which he served with all the strength and ability that in him lay.

May we so live that when the last summons comes, as it must to us all sooner or later, our friends and relatives can say of us, as we do of him, that we fearlessly did our duty and left a legacy of character and honor which is beyond price.

Sunset and evening star,
And one clear call for me!
And may there be no moaning of the bar
When I put out to sea.

Twilight and evening bell,
And after that the dark!
And may there be no sadness of farewell
When I embark.

For though from out our bourne of time and place
The flood may bear me far,
I hope to see my Pilot face to face
When I have crossed the bar.

## Address of Mr. Hitchcock, of Nebraska

Mr. President: I deem it a melancholy privilege, in supporting the resolutions presented by the Senator from California [Mr. Perkins] in memory of former Representative Smith, from that State, to testify to his public service as a Member of the House of Representatives. It was my pleasure while serving in that House to know Mr. Smith. I saw him come there from his far-distant constituency; I witnessed his advent as a new and inexperienced legislator; and I saw the earnestness and sincerity, as well as the ability and loyalty, with which he took hold of his public duties.

Almost from the very first Representative Smith attracted attention even in that very large body of which he was a Member. His fidelity and his industry in his work upon the questions that particularly interested the people of California and the West generally, coupled with his natural eloquence as a public speaker, made him at once a leader among the western Members in the House of Representatives.

In debate his style was incisive, direct, and forceful; but there was in his voice something of the clarion call, which at once attracted attention and brought support. Had he lived to enjoy longer service, I have no doubt he would have attained a reputation far beyond the ordinary. As it was, among the Members of the House he had attained such a position when his service closed that he was properly regarded as a leader and as a faithful servant of the people, loyal to their interests and eloquent in defending them.

The West has perhaps been at a disadvantage, Mr. President, in sending its Representatives to the Capitol.

It has not, as a rule, kept them here long enough to give them that experience which has marked the service of Representatives from other portions of the country, but Representative SMITH was a Member who in a short term of service, by the brilliant qualities of his mind and by his faithfulness and fidelity to duty, marked himself as a natural leader of men and an admirable public servant.

## Address of Mr. Gronna, of North Dakota

Mr. President: I shall not attempt to add anything of worth to what has been said concerning the life history of Mr. Sylvester Clark Smith, late a Representative from the State of California. That has been so beautifully pictured by Senators who have preceded me. But I can not allow this opportunity to pass without paying a last tribute of respect to his life and memory as a man and his worth as a legislator during the time we served together as Members of the House of Representatives.

I first became acquainted with Mr. Smith at the beginning of the Fifty-ninth Congress. We both came to Congress at the same time and both were appointed on the Committee on Public Lands and served for a period of nearly six years, during which time this committee had before it many complicated questions which were difficult to solve.

Mr. Smith was a strong factor in shaping the legislation that came before this committee. By his profound and logical reasoning he early demonstrated his ability as a legislator. His frank and consistent position won for him the admiration of not only those who agreed with him but also those who opposed him in the views which he held.

Mr. Smith was a strong partisan, an ardent Republican of the old school. He believed in party organization and party responsibility. I did not always agree with him on the policies to be pursued in maintaining a party, nor did I always agree with him on legislation, but whether we agreed or disagreed on policies and certain principles I always admired him for his frankness and the cour-

ageous stand he took upon public questions which vitally concerned the people. Mr. Smith had an aptitude for legislative work, he was a profound student, a forceful speaker, and a ready debater. I was among those who early became his friends; he won the admiration of the entire membership of the House for the courage and the ability he possessed.

We often wonder why a person is taken away just at a time when his work has begun to show results and his usefulness to society is most sadly missed, but it is beyond human power to fully comprehend the mysteries of life and death. We only know that life is uncertain; our days of earthly existence may be many or they may be few; and it is all under the control and guidance of the Omnipotent Ruler of the universe.

## Address of Mr. Sheppard, of Texas

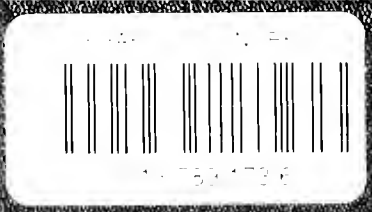
Mr. President: Through several Congresses I was a Member of the House of Representatives with Sylvester Clark Smith. My acquaintance with him was not intimate, but I knew him sufficiently well to grasp his distinctive qualities. He was affiliated with the Republican Party, to which he gave a vigorous and unswerving devotion. Associated as I was with the Democratic side of the House, coming from a different section of the country, with different traditions and a different environment, connected with different committees and adopting a different line of congressional work, I did not have the opportunity to develop with Mr. Smith more than the usual relations between Representatives thus situated.

Our nearest and dearest friends are rarely in position to judge our lives with true discrimination and impartiality. Affection frequently blinds them to our faults and leads them to magnify our virtues. It often happens that our antagonists in the various struggles of life are most capable of weighing the real significance of what we do and say. Our opponents, by compelling us to keep our weapons sharp and ready, bring out what is best and strongest in us while we live, and sometimes become our sincerest eulogists when we die.

From my place among the Democrats of the House of Representatives I came to recognize in Sylvester Smith one of the most effective and interesting figures among the Republicans of that historic Chamber. His manner was always emphatic, his ideas original and unique, his language clear and forceful. His voice would penetrate the tumult of congressional debate as the note of a trumpet

pierces the crash of battle. Firm in conviction, quick in action, convincing in argument, lucid in expression, he was on the threshold of a great national career when disease laid its pitiless hand upon him.

He was energy itself in the service of his constituents. In visiting the departments, in appearing before committees, in advocating measures on the floor of the House for the benefit of his district and his State, he was absolutely untiring and uniformly successful. Loyal as he was to local interests, true as he was to party principle, he was equally devoted to the welfare of the country as a whole, and a genuine patriotism illumined both his public and private life.

Mr. President, the impression Sylvester Smith has left in my memory is that of a strong intellect, an honest heart, a virile personality, a statesman of unusual force, an advocate of unusual power, a great and pure American.

May all the peace immortals know be his; may more such men be ours.